



W.P.Crl.No.1616 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.P.Crl.No.1616 of 2025
and
W.P.M.P.Crl.No.769 of 2025

Mageshwari
W/o.Gnanasekar

... Petitioner

Vs.

1. The Deputy Inspector General of Prisons,
Chennai Range,
Prison and Correctional Service,
Prison Head Quarters,
Egmore, Chennai – 600 008.

2. The Superintendent of Prison,
Central Prison, Salem.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, praying to issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned order No.878.mu.uu/2025 dated 04.08.2025 passed by respondent No.1 and quashing the same and consequently directing the respondents to grant 28 days ordinary leave for petitioner's son namely Babu @ Boopathi Pushparaj, S/o.Gnanasekaran, aged about 35 years, PID No.24160 Convict Prisoner, Central Prison, Salem.

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For Petitioner : Ms.S.Nadhiya

For Respondents : Mr.R.Muniyapparaj,
Additional Public Prosecutor,
assisted by Mr.M.Sylvester John

ORDER

[Order of the Court was made by P.VELMURUGAN, J.,]

This writ petition has been filed challenging the impugned order passed by the first respondent in No.878.mu.uu/2025, dated 04.08.2025, wherein and whereby, the request seeking ordinary leave for the petitioner's son was rejected. The petitioner seeks to quash the said order and prays for a consequential direction to the respondents to grant 28 days of ordinary leave to her son, Babu @ Boopathi Pushparaj, S/o.Gnanasekaran, aged about 35 years, who is presently confined as a convict prisoner (PID No.24160) in the Central Prison, Salem.

2. According to the petitioner, her husband is suffering from a kidney related ailment and is also afflicted with several other health complications, necessitating continuous medical attention. It is also submitted that for arranging medical treatment, meeting medical expenses and managing the family's livelihood needs, the assistance of her son the



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convict prisoner is indispensable. Hence, the petitioner submitted a representation dated 31.07.2025 to the respondents seeking grant of 28 days of ordinary leave to her son. However, the first respondent by impugned order dated 04.08.2025, rejected the said representation. Aggrieved by the said rejection, the petitioner is before this Court.

3. The learned counsel further submitted that the convict has already undergone more than ten years of his sentence. Therefore, the impugned order passed by the first respondent rejecting the request for ordinary leave is arbitrary and violative of Article 14 and 21 of the Constitution of India. He further submitted that the assistance of the convict is essential for the family, particularly considering the ill-health of the petitioner's husband. Hence, he prays that this Court may direct the respondents to grant ordinary leave to the said convict.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondents-Police, on instructions, submitted that the convict was tried and convicted for the offence punishable under Section 302 IPC and sentenced to undergo imprisonment for life. He further submitted that the petitioner, who is the mother of the convict had submitted a representation to the Prison Authorities by projecting false facts with an

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intention to secure leave for her son. The Probation Officer, after due enquiry, has submitted a report stating that the reasons assigned by the petitioner for seeking leave are not genuine. Relying upon the said report, the first respondent has rightly rejected the petitioner's representation.

5. We have heard the submissions of the learned counsel appearing for both sides and have carefully perused the materials available on record.

6. Considering the nature and gravity of the offence for which the convict has been found guilty and sentenced, and also considering the submissions of the learned Additional Public Prosecutor, this Court is of the view that no grounds have been made out to interfere with the impugned order passed by the first respondent. Hence, this Court finds no merit in the writ petition.

7. Accordingly, this Writ Petition (Crl.) is dismissed. Consequently, connected miscellaneous petition is closed.

(P.V., J.) (M.J.R., J.)
11.12.2025

Index: Yes/No
Neutral Citation: Yes/No
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To

1. The Deputy Inspector General of Prisons,
Chennai Range,
Prison and Correctional Service,
Prison Head Quarters,
Egmore, Chennai – 600 008.
2. The Superintendent of Prison,
Central Prison, Salem.
3. The Public Prosecutor,
High Court, Madras.



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**P.VELMURUGAN, J.,
and
M.JOTHIRAMAN, J.,**

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